IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

WP(C).No. 35862 of 2007(T)

PETITIONER:

M/S.SOUTHERN ISPAT LIMITED
WEST YAKKARA, PALAKKAD,
REPRESENTED BY ITS EXECUTIVE OFFICER
K.K.AGARWALLA.

BY ADV. SRI.N.MURALEEDHARAN NAIR

RESPONDENT:

INTELLIGENCE OFFICER ,SQUAD NO.1
OFFICE OF THE DEPUTY COMMISSIONER (INTELLIGENCE)
THRIKKAKARA, ERNAKULAM.

BY GOVERNMENT PLEADER SRI.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 35862 OF 2007 T
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Dated this the 11th day of December, 2007

J U D G M E N T

Exts. P1 and P2 are the notices issued by the respondent proposing to levy penalty on the petitioner. On receipt of the notice, petitioner submitted Ext.P3, by which he has sought for details from the respondent. Thereupon as time was running out, petitioner has filed his objections by Exts. P4 and P5.

2. Though in this writ petition the petitioner challenges the very notice itself, since the Authority concerned is seized of the issue, I think the challenge is premature. It is for the Authority, to decide the sustainability or otherwise of Exts. P1 and P2. However, before any final decision in the matter is taken, it is imperative on the authorities to disclose the materials that are now sought for by the petitioner by filing Ext.P3.

3. Therefore, the details sought for by the petitioner in Ext.P3 shall be furnished to the petitioner or the same shall be allowed to be perused by the petitioner. This the respondent shall do within four weeks of receipt of a copy of this judgment. Thereafter, petitioner shall be given an opportunity to file

supplementary objection, if they so desire. Once supplementary representation is so filed by the petitioner, after affording an opportunity to be heard to them, the respondent shall complete the proceedings pursuant to Exts. P1 and P2, as expeditiously as possible, at any rate within eight weeks thereafter.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp